

STATE OF MINNESOTA

NINETY-FIRST SESSION — 2020

 NINETY-FIFTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 15, 2020

The House of Representatives convened at 10:00 a.m. and was called to order by Melissa Hortman, Speaker of the House.

Prayer was offered by Representative Liz Olson, District 7B, Duluth, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Acomb	Demuth	Heinrich	Lippert	Nornes	Stephenson
Albright	Dettmer	Heintzeman	Lislegard	Novotny	Sundin
Anderson	Drazkowski	Her	Long	O'Driscoll	Swedzinski
Backer	Ecklund	Hertaus	Lucero	Olson	Tabke
Bahner	Edelson	Hornstein	Lueck	O'Neill	Theis
Bahr	Elkins	Howard	Mahoney	Pelowski	Torkelson
Becker-Finn	Erickson	Huot	Mann	Persell	Urdahl
Bennett	Fabian	Johnson	Mariani	Petersburg	Vang
Bernardy	Fischer	Jordan	Marquart	Pierson	Vogel
Bierman	Franson	Jurgens	Masin	Pinto	Wagenius
Boe	Freiberg	Kiel	McDonald	Poppe	Wazlawik
Brand	Garofalo	Klevorn	Mekeland	Poston	West
Cantrell	Gomez	Koegel	Miller	Pryor	Winkler
Carlson, A.	Green	Kotyza-Witthuhn	Moller	Quam	Wolgamott
Carlson, L.	Grossell	Koznick	Moran	Richardson	Xiong, J.
Christensen	Gruenhagen	Kresha	Morrison	Robbins	Xiong, T.
Clafin	Gunther	Kunesh-Podein	Munson	Runbeck	Youakim
Considine	Haley	Layman	Murphy	Sandell	Spk. Hortman
Daniels	Halverson	Lee	Nash	Sandstede	
Daudt	Hamilton	Lesch	Nelson, M.	Sauke	
Davids	Hansen	Liebling	Nelson, N.	Schomacker	
Davnie	Hassan	Lien	Neu	Schultz	
Dehn	Hausman	Lillie	Noor	Scott	

A quorum was present.

Baker was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

REPORTS OF CHIEF CLERK

S. F. No. 3204 and H. F. No. 3398, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Morrison moved that S. F. No. 3204 be substituted for H. F. No. 3398 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3258 and H. F. No. 3391, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Mariani moved that S. F. No. 3258 be substituted for H. F. No. 3391 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3683 and H. F. No. 3392, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Bernardy moved that S. F. No. 3683 be substituted for H. F. No. 3392 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3745 and H. F. No. 3804, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Layman moved that S. F. No. 3745 be substituted for H. F. No. 3804 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3808 and H. F. No. 3903, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Murphy moved that S. F. No. 3808 be substituted for H. F. No. 3903 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 12, 2020

The Honorable Melissa Hortman
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Hortman:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 745, relating to marriage; eliminating provisions allowing marriages by minors; requiring proof of age.

H. F. No. 3429, relating to elections; providing special procedures for the safe and secure conduct of the 2020 state primary and state general elections; appropriating money for various election-related purposes, including administration, security, accessibility, training, public health and safety, and public outreach; authorizing local grants; requiring a report; transferring and appropriating money for purposes of the Help America Vote Act, the federal CARES Act, and the federal Consolidated Appropriations Act.

H. F. No. 1883, relating to state government; extending the COVID-19 Minnesota fund.

Sincerely,

TIM WALZ
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Melissa Hortman
Speaker of the House of Representatives

The Honorable Jeremy R. Miller
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2020 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2020</i>	<i>Date Filed 2020</i>
	745	76	7:16 p.m. May 12	May 12
	3429	77	7:17 p.m. May 12	May 12
1098		78	7:17 p.m. May 12	May 12
2939		79	7:17 p.m. May 12	May 12
4091		80	7:18 p.m. May 12	May 12
	1883	81	7:18 p.m. May 12	May 12

Sincerely,

STEVE SIMON
Secretary of State

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 1050, A bill for an act relating to human services; modifying provisions governing child foster care and background studies; amending Minnesota Statutes 2018, sections 245A.05; 245A.07, subdivision 1; 245A.16, by adding a subdivision; 245C.02, by adding a subdivision; 245C.05, subdivisions 2c, 2d, 4, 5; 245C.08, subdivision 3; 245C.14, subdivision 1; 245C.15, by adding a subdivision; 245C.24.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2019 Supplement, section 245A.05, is amended to read:

245A.05 DENIAL OF APPLICATION.

(a) The commissioner may deny a license if an applicant or controlling individual:

(1) fails to submit a substantially complete application after receiving notice from the commissioner under section 245A.04, subdivision 1;

(2) fails to comply with applicable laws or rules;

(3) knowingly withholds relevant information from or gives false or misleading information to the commissioner in connection with an application for a license or during an investigation;

(4) has a disqualification that has not been set aside under section 245C.22 and no variance has been granted;

(5) has an individual living in the household who received a background study under section 245C.03, subdivision 1, paragraph (a), clause (2), who has a disqualification that has not been set aside under section 245C.22, and no variance has been granted;

(6) is associated with an individual who received a background study under section 245C.03, subdivision 1, paragraph (a), clause (6), who may have unsupervised access to children or vulnerable adults, and who has a disqualification that has not been set aside under section 245C.22, and no variance has been granted;

(7) fails to comply with section 245A.04, subdivision 1, paragraph (f) or (g);

(8) fails to demonstrate competent knowledge as required by section 245A.04, subdivision 6;

(9) has a history of noncompliance as a license holder or controlling individual with applicable laws or rules, including but not limited to this chapter and chapters 119B and 245C; ~~or~~

(10) is prohibited from holding a license according to section 245.095; or

(11) for family child foster care, has nondisqualifying background study information, as described in section 245C.05, subdivision 4, that reflects on the individual's ability to safely provide care to foster children.

(b) An applicant whose application has been denied by the commissioner must be given notice of the denial, which must state the reasons for the denial in plain language. Notice must be given by certified mail or personal service. The notice must state the reasons the application was denied and must inform the applicant of the right to a contested case hearing under chapter 14 and Minnesota Rules, parts 1400.8505 to 1400.8612. The applicant may appeal the denial by notifying the commissioner in writing by certified mail or personal service. If mailed, the appeal must be postmarked and sent to the commissioner within 20 calendar days after the applicant received the notice of denial. If an appeal request is made by personal service, it must be received by the commissioner within 20 calendar days after the applicant received the notice of denial. Section 245A.08 applies to hearings held to appeal the commissioner's denial of an application.

EFFECTIVE DATE. This section is effective July 1, 2021.

Sec. 2. Minnesota Statutes 2019 Supplement, section 245A.07, subdivision 1, is amended to read:

Subdivision 1. **Sanctions; appeals; license.** (a) In addition to making a license conditional under section 245A.06, the commissioner may suspend or revoke the license, impose a fine, or secure an injunction against the continuing operation of the program of a license holder who does not comply with applicable law or rule, or who has nondisqualifying background study information, as described in section 245C.05, subdivision 4, that reflects on the license holder's ability to safely provide care to foster children. When applying sanctions authorized under this section, the commissioner shall consider the nature, chronicity, or severity of the violation of law or rule and the effect of the violation on the health, safety, or rights of persons served by the program.

(b) If a license holder appeals the suspension or revocation of a license and the license holder continues to operate the program pending a final order on the appeal, the commissioner shall issue the license holder a temporary provisional license. Unless otherwise specified by the commissioner, variances in effect on the date of the license sanction under appeal continue under the temporary provisional license. If a license holder fails to comply with applicable law or rule while operating under a temporary provisional license, the commissioner may impose additional sanctions under this section and section 245A.06, and may terminate any prior variance. If a temporary provisional license is set to expire, a new temporary provisional license shall be issued to the license holder upon payment of any fee required under section 245A.10. The temporary provisional license shall expire on the date the final order is issued. If the license holder prevails on the appeal, a new nonprovisional license shall be issued for the remainder of the current license period.

(c) If a license holder is under investigation and the license issued under this chapter is due to expire before completion of the investigation, the program shall be issued a new license upon completion of the reapplication requirements and payment of any applicable license fee. Upon completion of the investigation, a licensing sanction may be imposed against the new license under this section, section 245A.06, or 245A.08.

(d) Failure to reapply or closure of a license issued under this chapter by the license holder prior to the completion of any investigation shall not preclude the commissioner from issuing a licensing sanction under this section or section 245A.06 at the conclusion of the investigation.

EFFECTIVE DATE. This section is effective July 1, 2021.

Sec. 3. Minnesota Statutes 2018, section 245A.16, is amended by adding a subdivision to read:

Subd. 9. Licensed family child foster care. (a) Before recommending to deny a license under section 245A.05 or revoke a license under section 245A.07 for nondisqualifying background study information received under section 245C.05, subdivision 4, paragraph (a), clause (3), for licensed family child foster care a county agency or private agency that has been designated or licensed by the commissioner must review the following:

(1) the type of offense;

(2) the number of offenses;

(3) the nature of the offenses;

(4) the age of the individual at the time of the offense;

(5) the length of time that has elapsed since the last offense;

(6) the relationship of the offenses and the capacity to care for a child;

(7) evidence of rehabilitation;

(8) information or knowledge from community members regarding the individual's capacity to provide foster care;

(9) a statement from the study subject;

(10) a statement from the license holder; and

(11) other aggravating and mitigating factors.

(b) When licensing a relative to provide family child foster care, the commissioner shall also consider the importance of maintaining the child's relationship with relatives as an additional significant factor in determining whether an application will be denied.

(c) The county or private licensing agency must send a summary of the review completed according to paragraph (a), on a form developed by the commissioner, to the commissioner and include any recommendation for licensing action.

EFFECTIVE DATE. This section is effective July 1, 2021.

Sec. 4. Minnesota Statutes 2018, section 245C.02, is amended by adding a subdivision to read:

Subd. 12a. **Licensed family child foster care.** "Licensed family child foster care" includes providers who have submitted an application for family child foster care licensure under section 245A.04, subdivision 1. Licensed family child foster care does not include foster residence settings that meet the licensing requirements of Minnesota Rules, parts 2960.3200 to 2960.3230.

EFFECTIVE DATE. This section is effective July 1, 2021.

Sec. 5. Minnesota Statutes 2018, section 245C.05, subdivision 2c, is amended to read:

Subd. 2c. Privacy notice to background study subject. (a) Prior to initiating each background study, the entity initiating the study must provide the commissioner's privacy notice to the background study subject required under section 13.04, subdivision 2. The notice must be available through the commissioner's electronic NETStudy and NETStudy 2.0 systems and shall include the information in paragraphs (b) and (c).

(b) The background study subject shall be informed that any previous background studies that received a set-aside will be reviewed, and without further contact with the background study subject, the commissioner may notify the agency that initiated the subsequent background study:

(1) that the individual has a disqualification that has been set aside for the program or agency that initiated the study;

(2) the reason for the disqualification; and

(3) that information about the decision to set aside the disqualification will be available to the license holder upon request without the consent of the background study subject.

(c) The background study subject must also be informed that:

(1) the subject's fingerprints collected for purposes of completing the background study under this chapter must not be retained by the Department of Public Safety, Bureau of Criminal Apprehension, or by the commissioner. The Federal Bureau of Investigation will ~~only retain fingerprints of subjects with a criminal history~~ not retain background study subjects' fingerprints;

(2) effective upon implementation of NETStudy 2.0, the subject's photographic image will be retained by the commissioner, and if the subject has provided the subject's Social Security number for purposes of the background study, the photographic image will be available to prospective employers and agencies initiating background studies under this chapter to verify the identity of the subject of the background study;

(3) the commissioner's authorized fingerprint collection vendor shall, for purposes of verifying the identity of the background study subject, be able to view the identifying information entered into NETStudy 2.0 by the entity that initiated the background study, but shall not retain the subject's fingerprints, photograph, or information from NETStudy 2.0. The authorized fingerprint collection vendor shall retain no more than the subject's name and the date and time the subject's fingerprints were recorded and sent, only as necessary for auditing and billing activities;

(4) the commissioner shall provide the subject notice, as required in section 245C.17, subdivision 1, paragraph (a), when an entity initiates a background study on the individual;

(5) the subject may request in writing a report listing the entities that initiated a background study on the individual as provided in section 245C.17, subdivision 1, paragraph (b);

(6) the subject may request in writing that information used to complete the individual's background study in NETStudy 2.0 be destroyed if the requirements of section 245C.051, paragraph (a), are met; and

(7) notwithstanding clause (6), the commissioner shall destroy:

(i) the subject's photograph after a period of two years when the requirements of section 245C.051, paragraph (c), are met; and

(ii) any data collected on a subject under this chapter after a period of two years following the individual's death as provided in section 245C.051, paragraph (d).

Sec. 6. Minnesota Statutes 2018, section 245C.05, subdivision 2d, is amended to read:

Subd. 2d. **Fingerprint data notification.** The commissioner of human services shall notify all background study subjects under this chapter that the Department of Human Services, Department of Public Safety, and the Bureau of Criminal Apprehension do not retain fingerprint data after a background study is completed, and that the Federal Bureau of Investigation ~~only retains the fingerprints of subjects who have a criminal history~~ of Investigation will not retain background study subjects' fingerprints.

Sec. 7. Minnesota Statutes 2019 Supplement, section 245C.05, subdivision 4, is amended to read:

Subd. 4. **Electronic transmission.** (a) For background studies conducted by the Department of Human Services, the commissioner shall implement a secure system for the electronic transmission of:

(1) background study information to the commissioner;

(2) background study results to the license holder;

(3) background study results and relevant underlying investigative information to county and private agencies for background studies conducted by the commissioner for child foster care, including a summary of nondisqualifying results, except as prohibited by law; and

(4) background study results to county agencies for background studies conducted by the commissioner for adult foster care and family adult day services and, upon implementation of NETStudy 2.0, family child care and legal nonlicensed child care authorized under chapter 119B.

(b) Unless the commissioner has granted a hardship variance under paragraph (c), a license holder or an applicant must use the electronic transmission system known as NETStudy or NETStudy 2.0 to submit all requests for background studies to the commissioner as required by this chapter.

(c) A license holder or applicant whose program is located in an area in which high-speed Internet is inaccessible may request the commissioner to grant a variance to the electronic transmission requirement.

(d) Section 245C.08, subdivision 3, paragraph (c), applies to results transmitted under this subdivision.

EFFECTIVE DATE. This section is effective July 1, 2021.

Sec. 8. Minnesota Statutes 2019 Supplement, section 245C.08, subdivision 3, is amended to read:

Subd. 3. **Arrest and investigative information.** (a) For any background study completed under this section, if the commissioner has reasonable cause to believe the information is pertinent to the disqualification of an individual, the commissioner also may review arrest and investigative information from:

(1) the Bureau of Criminal Apprehension;

(2) the commissioners of health and human services;

(3) a county attorney;

(4) a county sheriff;

(5) a county agency;

(6) a local chief of police;

(7) other states;

(8) the courts;

(9) the Federal Bureau of Investigation;

(10) the National Criminal Records Repository; and

(11) criminal records from other states.

(b) Except when specifically required by law, the commissioner is not required to conduct more than one review of a subject's records from the Federal Bureau of Investigation if a review of the subject's criminal history with the Federal Bureau of Investigation has already been completed by the commissioner and there has been no break in the subject's affiliation with the entity that initiated the background study.

(c) If the commissioner conducts a national criminal history record check when required by law and uses the information from the national criminal history record check to make a disqualification determination, the data obtained is private data and cannot be shared with ~~county agencies, private agencies, or~~ prospective employers of the background study subject.

(d) If the commissioner conducts a national criminal history record check when required by law and uses the information from the national criminal history record check to make a disqualification determination, the license holder or entity that submitted the study is not required to obtain a copy of the background study subject's disqualification letter under section 245C.17, subdivision 3.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 9. Minnesota Statutes 2018, section 245C.14, subdivision 1, is amended to read:

Subdivision 1. **Disqualification from direct contact.** (a) The commissioner shall disqualify an individual who is the subject of a background study from any position allowing direct contact with persons receiving services from the license holder or entity identified in section 245C.03, upon receipt of information showing, or when a background study completed under this chapter shows any of the following:

(1) a conviction of, admission to, or Alford plea to one or more crimes listed in section 245C.15, regardless of whether the conviction or admission is a felony, gross misdemeanor, or misdemeanor level crime;

(2) a preponderance of the evidence indicates the individual has committed an act or acts that meet the definition of any of the crimes listed in section 245C.15, regardless of whether the preponderance of the evidence is for a felony, gross misdemeanor, or misdemeanor level crime; or

(3) an investigation results in an administrative determination listed under section 245C.15, subdivision 4, paragraph (b).

(b) No individual who is disqualified following a background study under section 245C.03, subdivisions 1 and 2, may be retained in a position involving direct contact with persons served by a program or entity identified in section 245C.03, unless the commissioner has provided written notice under section 245C.17 stating that:

(1) the individual may remain in direct contact during the period in which the individual may request reconsideration as provided in section 245C.21, subdivision 2;

(2) the commissioner has set aside the individual's disqualification for that program or entity identified in section 245C.03, as provided in section 245C.22, subdivision 4; or

(3) the license holder has been granted a variance for the disqualified individual under section 245C.30.

(c) Notwithstanding paragraph (a), for the purposes of a background study affiliated with a licensed family child foster care provider, the commissioner shall disqualify an individual who is the subject of a background study from any position allowing direct contact with persons receiving services from the license holder or entity identified in section 245C.03, upon receipt of information showing, or when a background study completed under this chapter is disqualifying under section 245C.15, subdivision 6.

EFFECTIVE DATE. This section is effective July 1, 2021.

Sec. 10. Minnesota Statutes 2018, section 245C.15, is amended by adding a subdivision to read:

Subd. 6. Licensed family child foster care disqualifications. (a) Notwithstanding subdivisions 1 to 5, for a background study affiliated with a licensed family child foster care, regardless of how much time has passed, an individual is disqualified under section 245C.14 if the individual committed an act that resulted in a felony-level conviction for: 609.185 (murder in the first degree); 609.19 (murder in the second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); 609.2112 (criminal vehicular homicide); 609.223, subdivision 2 (assault in the third degree, past pattern of child abuse); 609.223, subdivision 3 (assault in the third degree, victim under four); a felony offense under sections 609.2242 and 609.2243 (domestic assault), spousal abuse, child abuse or neglect, or a crime against children; 609.2247 (domestic assault by strangulation); 609.25 (kidnapping); 609.255 (false imprisonment); 609.265 (abduction); 609.2661 (murder of an unborn child in the first degree); 609.2662 (murder of an unborn child in the second degree); 609.2663 (murder of an unborn child in the third degree); 609.2664 (manslaughter of an unborn child in the first degree); 609.2665 (manslaughter of an unborn child in the second degree); 609.267 (assault of an unborn child in the first degree); 609.2671 (assault of an unborn child in the second degree); 609.268 (injury or death of an unborn child in the commission of a crime); 609.324, subdivision 1 (other prohibited acts; engaging in, hiring, or agreeing to hire minor to engage in prostitution); 609.342 (criminal sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in the fourth degree); 609.3451 (criminal sexual conduct in the fifth degree); 609.3453 (criminal sexual predatory conduct); 609.352 (solicitation of children to engage in sexual conduct); 609.377 (malicious punishment of a child); 609.378 (neglect or endangerment of a child); 617.246 (use of minors in sexual performance prohibited); or 617.247 (possession of pictorial representations of minors).

(b) Notwithstanding subdivisions 1 to 5, for the purposes of a background study affiliated with a licensed family foster care license, an individual is disqualified under section 245C.14, regardless of how much time has passed, if the individual:

(1) committed an action under paragraph (d) that resulted in death or involved sexual abuse;

(2) committed an act that resulted in a felony-level conviction for section 609.746 (interference with privacy);

(3) committed an act that resulted in a gross misdemeanor-level conviction for section 609.3451 (criminal sexual conduct in the fifth degree); or

(4) committed an act against or involving a minor that resulted in a felony-level conviction for: section 609.221 (assault in the first degree); 609.222 (assault in the second degree); 609.223, subdivision 1 (assault in the third degree); 609.2231 (assault in the fourth degree); or 609.224, subdivision 4 (assault in the fifth degree).

(c) Notwithstanding subdivisions 1 to 5, for a background study affiliated with a licensed family child foster care license, an individual is disqualified under section 245C.14 if:

(1) less than five years have passed since the termination of parental rights under section 260C.301, subdivision 1, paragraph (b);

(2) less than five years have passed since a felony-level conviction for: 152.021 (controlled substance crime in the first degree); 152.022 (controlled substance crime in the second degree); 152.023 (controlled substance crime in the third degree); 152.024 (controlled substance crime in the fourth degree); 152.025 (controlled substance crime in the fifth degree); 152.0261 (importing controlled substances across state borders); 152.0262, subdivision 1, paragraph (b) (possession of substance with intent to manufacture methamphetamine); 152.027, subdivision 6, paragraph (c) (sale or possession of synthetic cannabinoids); 152.096 (conspiracies prohibited); 152.097 (simulated controlled substances); 152.136 (anhydrous ammonia; prohibited conduct; criminal penalties; civil liabilities); 152.137 (methamphetamine-related crimes involving children or vulnerable adults); 169A.24 (felony first-degree driving while impaired); 243.166 (violation of predatory offender registration requirements); 609.2113 (criminal vehicular operation; bodily harm); 609.2114 (criminal vehicular operation; unborn child); 609.228 (great bodily harm caused by distribution of drugs); 609.2325 (criminal abuse of a vulnerable adult); 609.235 (use of drugs to injure or facilitate a crime); 609.322 (solicitation, inducement, and promotion of prostitution; sex trafficking); 609.561 (arson in the first degree); 609.562 (arson in the second degree); 609.563 (arson in the third degree); 609.66, subdivision 1e (felony drive-by shooting); 609.687 (adulteration); 609.749, subdivision 3, 4, or 5 (felony-level harassment or stalking); or 609.855, subdivision 5 (shooting at or in a public transit vehicle or facility); or

(3) less than five years have passed since a felony-level conviction for an act not against or involving a minor that constitutes: section 609.221 (assault in the first degree); 609.222 (assault in the second degree); 609.223, subdivision 1 (assault in the third degree); 609.2231 (assault in the fourth degree); or 609.224, subdivision 4 (assault in the fifth degree).

(d) Notwithstanding subdivisions 1 to 5, except as provided in paragraph (a), for a background study affiliated with a licensed family child foster care license, an individual is disqualified under section 245C.14 if less than five years have passed since:

(1) a determination or disposition of the individual's failure to make required reports under section 626.556, subdivision 3, or 626.557, subdivision 3, for incidents in which the final disposition under section 626.556 or 626.557 was substantiated maltreatment and the maltreatment was recurring or serious;

(2) a determination or disposition of the individual's substantiated serious or recurring maltreatment of a minor under section 626.556, a vulnerable adult under section 626.557, or serious or recurring maltreatment in any other state, the elements of which are substantially similar to the elements of maltreatment under section 626.556 or 626.557 and meet the definition of serious maltreatment or recurring maltreatment;

(3) the termination of the individual's parental rights under section 260C.301, subdivision 1, paragraph (a); or

(4) a gross misdemeanor-level conviction for: section 609.746 (interference with privacy); 609.2242 and 609.2243 (domestic assault); 609.377 (malicious punishment of a child); or 609.378 (neglect or endangerment of a child).

EFFECTIVE DATE. This section is effective July 1, 2021.

Sec. 11. Minnesota Statutes 2019 Supplement, section 245C.24, subdivision 1, is amended to read:

Subdivision 1. **Minimum disqualification periods.** The disqualification periods under subdivisions 3 to ~~5~~ **6** are the minimum applicable disqualification periods. The commissioner may determine that an individual should continue to be disqualified from licensure because the individual continues to pose a risk of harm to persons served by that individual, even after the minimum disqualification period has passed.

EFFECTIVE DATE. This section is effective July 1, 2021.

Sec. 12. Minnesota Statutes 2019 Supplement, section 245C.24, subdivision 2, is amended to read:

Subd. 2. **Permanent bar to set aside a disqualification.** (a) Except as provided in paragraphs (b) to ~~(e)~~ (f), the commissioner may not set aside the disqualification of any individual disqualified pursuant to this chapter, regardless of how much time has passed, if the individual was disqualified for a crime or conduct listed in section 245C.15, subdivision 1.

(b) For an individual in the chemical dependency or corrections field who was disqualified for a crime or conduct listed under section 245C.15, subdivision 1, and whose disqualification was set aside prior to July 1, 2005, the commissioner must consider granting a variance pursuant to section 245C.30 for the license holder for a program dealing primarily with adults. A request for reconsideration evaluated under this paragraph must include a letter of recommendation from the license holder that was subject to the prior set-aside decision addressing the individual's quality of care to children or vulnerable adults and the circumstances of the individual's departure from that service.

(c) If an individual who requires a background study for nonemergency medical transportation services under section 245C.03, subdivision 12, was disqualified for a crime or conduct listed under section 245C.15, subdivision 1, and if more than 40 years have passed since the discharge of the sentence imposed, the commissioner may consider granting a set-aside pursuant to section 245C.22. A request for reconsideration evaluated under this paragraph must include a letter of recommendation from the employer. This paragraph does not apply to a person disqualified based on a violation of sections 243.166; 609.185 to 609.205; 609.25; 609.342 to 609.3453; 609.352; 617.23, subdivision 2, clause (1), or 3, clause (1); 617.246; or 617.247.

(d) When a licensed foster care provider adopts an individual who had received foster care services from the provider for over six months, and the adopted individual is required to receive a background study under section 245C.03, subdivision 1, paragraph (a), clause (2) or (6), the commissioner may grant a variance to the license holder under section 245C.30 to permit the adopted individual with a permanent disqualification to remain affiliated with the license holder under the conditions of the variance when the variance is recommended by the county of responsibility for each of the remaining individuals in placement in the home and the licensing agency for the home.

(e) For an individual 18 years of age or older affiliated with a licensed family child foster care program, the commissioner must not set aside the disqualification of any individual disqualified pursuant to this chapter, regardless of how much time has passed, if the individual was disqualified for a crime or conduct listed in section 245C.15, subdivision 6, paragraph (a).

(f) In connection with a license for family child foster care, the commissioner may grant a variance to the disqualification for an individual who is under 18 years of age at the time the background study is submitted.

EFFECTIVE DATE. This section is effective July 1, 2021.

Sec. 13. Minnesota Statutes 2019 Supplement, section 245C.24, subdivision 3, is amended to read:

Subd. 3. **Ten-year bar to set aside disqualification.** (a) The commissioner may not set aside the disqualification of an individual in connection with a license to provide family child care for children, ~~foster care for children in the provider's home,~~ or foster care or day care services for adults in the provider's home if: (1) less than ten years has passed since the discharge of the sentence imposed, if any, for the offense; or (2) when disqualified based on a preponderance of evidence determination under section 245C.14, subdivision 1, paragraph (a), clause (2), or an admission under section 245C.14, subdivision 1, paragraph (a), clause (1), and less than ten years has passed since the individual committed the act or admitted to committing the act, whichever is later; and (3) the individual has committed a violation of any of the following offenses: sections 609.165 (felon ineligible to possess firearm); criminal vehicular homicide or criminal vehicular operation causing death under 609.2112, 609.2113, or 609.2114 (criminal vehicular homicide or injury); 609.215 (aiding suicide or aiding attempted suicide); felony violations

under 609.223 or 609.2231 (assault in the third or fourth degree); 609.229 (crimes committed for benefit of a gang); 609.713 (terroristic threats); 609.235 (use of drugs to injure or to facilitate crime); 609.24 (simple robbery); 609.255 (false imprisonment); 609.562 (arson in the second degree); 609.71 (riot); 609.498, subdivision 1 or 1b (aggravated first-degree or first-degree tampering with a witness); burglary in the first or second degree under 609.582 (burglary); 609.66 (dangerous weapon); 609.665 (spring guns); 609.67 (machine guns and short-barreled shotguns); 609.749, subdivision 2 (gross misdemeanor harassment); 152.021 or 152.022 (controlled substance crime in the first or second degree); 152.023, subdivision 1, clause (3) or (4) or subdivision 2, clause (4) (controlled substance crime in the third degree); 152.024, subdivision 1, clause (2), (3), or (4) (controlled substance crime in the fourth degree); 609.224, subdivision 2, paragraph (c) (fifth-degree assault by a caregiver against a vulnerable adult); 609.23 (mistreatment of persons confined); 609.231 (mistreatment of residents or patients); 609.2325 (criminal abuse of a vulnerable adult); 609.233 (criminal neglect of a vulnerable adult); 609.2335 (financial exploitation of a vulnerable adult); 609.234 (failure to report); 609.265 (abduction); 609.2664 to 609.2665 (manslaughter of an unborn child in the first or second degree); 609.267 to 609.2672 (assault of an unborn child in the first, second, or third degree); 609.268 (injury or death of an unborn child in the commission of a crime); repeat offenses under 617.23 (indecent exposure); 617.293 (disseminating or displaying harmful material to minors); a felony-level conviction involving alcohol or drug use, a gross misdemeanor offense under 609.324, subdivision 1 (other prohibited acts); a gross misdemeanor offense under 609.378 (neglect or endangerment of a child); a gross misdemeanor offense under 609.377 (malicious punishment of a child); 609.72, subdivision 3 (disorderly conduct against a vulnerable adult); or 624.713 (certain persons not to possess firearms); or Minnesota Statutes 2012, section 609.21.

(b) The commissioner may not set aside the disqualification of an individual if less than ten years have passed since the individual's aiding and abetting, attempt, or conspiracy to commit any of the offenses listed in paragraph (a) as each of these offenses is defined in Minnesota Statutes.

(c) The commissioner may not set aside the disqualification of an individual if less than ten years have passed since the discharge of the sentence imposed for an offense in any other state or country, the elements of which are substantially similar to the elements of any of the offenses listed in paragraph (a).

EFFECTIVE DATE. This section is effective July 1, 2021.

Sec. 14. Minnesota Statutes 2018, section 245C.24, subdivision 4, is amended to read:

Subd. 4. **Seven-year bar to set aside disqualification.** The commissioner may not set aside the disqualification of an individual in connection with a license to provide family child care for children, ~~foster care for children in the provider's home~~, or foster care or day care services for adults in the provider's home if within seven years preceding the study:

(1) the individual committed an act that constitutes maltreatment of a child under section 626.556, subdivision 10e, and the maltreatment resulted in substantial bodily harm as defined in section 609.02, subdivision 7a, or substantial mental or emotional harm as supported by competent psychological or psychiatric evidence; or

(2) the individual was determined under section 626.557 to be the perpetrator of a substantiated incident of maltreatment of a vulnerable adult that resulted in substantial bodily harm as defined in section 609.02, subdivision 7a, or substantial mental or emotional harm as supported by competent psychological or psychiatric evidence.

EFFECTIVE DATE. This section is effective July 1, 2021.

Sec. 15. Minnesota Statutes 2018, section 245C.24, is amended by adding a subdivision to read:

Subd. 6. **Five year bar to set aside disqualification; family child foster care.** (a) The commissioner shall not set aside the disqualification of an individual 18 years of age or older in connection with a license for foster care for children in the provider's home if within five years preceding the study the individual is convicted of a felony in section 245C.15, subdivision 6, paragraph (c).

(b) In connection with a license for family child foster care, the commissioner may set aside or grant a variance to the disqualification for an individual who is under 18 years of age at the time the background study is submitted.

EFFECTIVE DATE. This section is effective July 1, 2021."

Delete the title and insert:

"A bill for an act relating to human services; modifying provisions governing child foster care and background studies; amending Minnesota Statutes 2018, sections 245A.16, by adding a subdivision; 245C.02, by adding a subdivision; 245C.05, subdivisions 2c, 2d; 245C.14, subdivision 1; 245C.15, by adding a subdivision; 245C.24, subdivision 4, by adding a subdivision; Minnesota Statutes 2019 Supplement, sections 245A.05; 245A.07, subdivision 1; 245C.05, subdivision 4; 245C.08, subdivision 3; 245C.24, subdivisions 1, 2, 3."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 4611, A bill for an act relating to economic development; establishing a program for emergency community relief grants; appropriating money.

Reported the same back with the following amendments:

Page 2, after line 15, insert:

"Subd. 6. **Reporting on use of funds.** Community action agencies receiving grants under this section must submit quarterly reports to the commissioner of human services on a form developed by the commissioner with information about the purposes for which the funds were awarded to individuals in accordance with this section. The first quarterly report must be submitted no later than July 15, 2020, and the last quarterly report must be submitted no later than August 1, 2021."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 4673, A bill for an act relating to local government aid; providing aid and grants to counties, cities, and towns to fund expenses related to COVID-19; appropriating money from the coronavirus relief federal fund.

Reported the same back with the following amendments:

Page 2, after line 27, insert:

"(c) A city or town with a population less than 500 may apply to a county for a grant, to be paid from the county aid distribution under subdivision 2 to cover costs incurred by the city or town that are allowed uses under paragraph (a). The county may require the city or town to provide sufficient information to demonstrate that the cost incurred

meets the requirements of title V of Public Law 116-136. Upon appropriate documentation, the county must make a grant of up to the lesser of: (1) \$25 multiplied by the population of the city or town located in the county; or (2) the amount of documented allowed costs. The county, at its discretion, may increase the grant above this amount, but to no more than the amount of documented allowed costs. Any application for a grant under this paragraph must be made no later than September 1, 2020, and any grants made under this subdivision must be paid to the city or town no later than September 20, 2020."

Page 4, line 15, delete everything after the period

Page 4, delete lines 16 to 18

Page 4, line 19, delete "allowances in subdivision 2 and distribute the available appropriation."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1050, 4611 and 4673 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 3204, 3258, 3683, 3745 and 3808 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Sauke introduced:

H. F. No. 4685, A bill for an act relating to capital investment; appropriating money for a Mayo Memorial on the Capitol grounds; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Capital Investment Division.

Hamilton introduced:

H. F. No. 4686, A bill for an act relating to taxation; individual income; modifying the credit for parents of stillborn children; amending Minnesota Statutes 2018, section 290.0685, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Torkelson introduced:

H. F. No. 4687, A bill for an act relating to public safety; requiring a salary increase for state patrol troopers; appropriating money; amending Laws 2019, First Special Session chapter 3, article 1, sections 2, subdivisions 2, 5; 4, subdivision 2.

The bill was read for the first time and referred to the Transportation Finance and Policy Division.

Winkler moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3356, A bill for an act relating to state government; changing a provision for publication in the State Register; changing the date for the annual report on events held in the Capitol building; amending Minnesota Statutes 2018, sections 14.46, subdivisions 3, 4; 16B.2405, subdivision 2.

CAL R. LUDEMAN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sauke moved that the House concur in the Senate amendments to H. F. No. 3356 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3356, A bill for an act relating to state government; changing a provision for publication in the State Register; changing the date for the annual report on events held in the Capitol building; amending Minnesota Statutes 2018, sections 14.46, subdivisions 3, 4; 16B.2405, subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Demuth	Heinrich	Lillie	Noor	Schultz
Albright	Dettmer	Heintzeman	Lippert	Nornes	Scott
Anderson	Drazkowski	Her	Lislegard	Novotny	Stephenson
Backer	Ecklund	Hertaus	Long	O'Driscoll	Sundin
Bahner	Edelson	Hornstein	Lucero	Olson	Swedzinski
Becker-Finn	Elkins	Howard	Lueck	O'Neill	Tabke
Bennett	Erickson	Huot	Mahoney	Pelowski	Theis
Bernardy	Fabian	Johnson	Mann	Persell	Torkelson
Bierman	Fischer	Jordan	Marquart	Petersburg	Urdahl
Boe	Franson	Jurgens	Masin	Pierson	Vang
Brand	Freiberg	Kiel	McDonald	Pinto	Vogel
Cantrell	Garofalo	Klevorn	Mekeland	Poppe	Wagenius
Carlson, A.	Green	Koegel	Miller	Poston	Wazlawik
Carlson, L.	Grossell	Kotzya-Witthuhn	Moller	Pryor	West
Christensen	Gruenhagen	Koznick	Moran	Quam	Winkler
Clafin	Gunther	Kresha	Morrison	Richardson	Wolgamott
Considine	Haley	Kunesh-Podein	Munson	Robbins	Xiong, T.
Daniels	Halverson	Layman	Murphy	Runbeck	Youakim
Daudt	Hamilton	Lee	Nash	Sandell	Spk. Hortman
Davids	Hansen	Lesch	Nelson, M.	Sandstede	
Davnie	Hassan	Liebling	Nelson, N.	Sauke	
Dehn	Hausman	Lien	Neu	Schomacker	

The bill was repassed, as amended by the Senate, and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Winkler from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Sunday, May 17, 2020 and established a prefiling requirement for amendments offered to the following bills:

S. F. Nos. 3800, 3808, 3683, 3258, 3322, 3204 and 3745; and H. F. Nos. 125 and 163.

CALENDAR FOR THE DAY

H. F. No. 4206, A bill for an act relating to workers' compensation; adopting recommendations of the 2020 Workers' Compensation Advisory Council; amending Minnesota Statutes 2018, sections 79A.02, subdivision 4; 79A.04, subdivision 2; 79A.06, subdivision 5; 79A.22, subdivision 13; 79A.24, subdivision 2; 176.011, subdivision 15; 176.102, subdivision 10; 176.111, subdivision 22; 176.135, subdivision 1; 176.185, by adding a subdivision; 176.223; Minnesota Statutes 2019 Supplement, sections 176.181, subdivision 2; 176.231, subdivisions 5, 6, 9, 9a; 176.2611, subdivision 5; 176.2612, subdivisions 1, 3; 176.275, subdivision 2; 176.285, subdivision 1; repealing Minnesota Statutes 2018, section 176.181, subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Demuth	Hausman	Lien	Nelson, N.	Sauke
Albright	Dettmer	Heinrich	Lillie	Neu	Schomacker
Anderson	Drazkowski	Heintzeman	Lippert	Noor	Schultz
Backer	Ecklund	Her	Lislegard	Nornes	Scott
Bahner	Edelson	Hertaus	Long	Novotny	Stephenson
Becker-Finn	Elkins	Hornstein	Lucero	O'Driscoll	Sundin
Bennett	Erickson	Howard	Lueck	Olson	Swedzinski
Bernardy	Fabian	Huot	Mahoney	O'Neill	Tabke
Bierman	Fischer	Johnson	Mann	Pelowski	Theis
Boe	Franson	Jordan	Mariani	Persell	Torkelson
Brand	Freiberg	Jurgens	Marquart	Petersburg	Urdahl
Cantrell	Garofalo	Kiel	Masin	Pierson	Vang
Carlson, A.	Gomez	Klevorn	McDonald	Pinto	Vogel
Carlson, L.	Green	Koegel	Mekeland	Poppe	Wagenius
Christensen	Grossell	Kotyza-Witthuhn	Miller	Poston	Wazlawik
Clafin	Gruenhagen	Koznick	Moller	Pryor	West
Considine	Gunther	Kresha	Moran	Quam	Winkler
Daniels	Haley	Kunesh-Podein	Morrison	Richardson	Wolgamott
Daudt	Halverson	Layman	Munson	Robbins	Xiong, J.
Davids	Hamilton	Lee	Murphy	Runbeck	Youakim
Davnie	Hansen	Lesch	Nash	Sandell	Spk. Hortman
Dehn	Hassan	Liebling	Nelson, M.	Sandstede	

The bill was passed and its title agreed to.

Mahoney was excused between the hours of 11:00 a.m. and 12:15 p.m.

The Speaker called Halverson to the Chair.

Hortman was excused between the hours of 11:05 a.m. and 12:55 p.m.

H. F. No. 2682, A bill for an act relating to legacy; appropriating money from outdoor heritage fund; appropriating money for Medal of Honor memorial; extending and modifying previous appropriations from legacy funds; amending Minnesota Statutes 2018, section 97A.056, subdivision 5; Laws 2017, chapter 91, article 1, section 2, subdivision 3; article 4, section 2, subdivision 2; Laws 2019, First Special Session chapter 2, article 1, section 2, subdivision 5; article 4, section 2, subdivisions 2, 8; Laws 2019, First Special Session chapter 10, article 1, section 24, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 110 yeas and 21 nays as follows:

Those who voted in the affirmative were:

Acomb	Backer	Bennett	Boe	Carlson, A.	Clafin
Albright	Bahner	Bernardy	Brand	Carlson, L.	Considine
Anderson	Becker-Finn	Bierman	Cantrell	Christensen	Daniels

Daudt	Haley	Klevorn	Mariani	Pierson	Theis
Davids	Halverson	Koegel	Marquart	Pinto	Torkelson
Davnie	Hamilton	Kotyza-Witthuhn	Masin	Poppe	Urdahl
Dehn	Hansen	Kresha	Moller	Poston	Vang
Demuth	Hassan	Kunesh-Podein	Moran	Pryor	Vogel
Dettmer	Hausman	Layman	Morrison	Richardson	Wagenius
Ecklund	Heintzeman	Lee	Murphy	Robbins	Wazlawik
Edelson	Her	Lesch	Nelson, M.	Sandell	Winkler
Elkins	Hertaus	Liebling	Nelson, N.	Sandstede	Wolgamott
Erickson	Hornstein	Lien	Neu	Sauke	Xiong, J.
Fabian	Howard	Lillie	Noor	Schomacker	Xiong, T.
Fischer	Huot	Lippert	Nornes	Schultz	Youakim
Franson	Johnson	Lislegard	Olson	Stephenson	
Freiberg	Jordan	Long	Pelowski	Sundin	
Gomez	Jurgens	Lueck	Persell	Swedzinski	
Gunther	Kiel	Mann	Petersburg	Tabke	

Those who voted in the negative were:

Bahr	Grossell	Lucero	Munson	O'Neill	West
Drazkowski	Gruenhagen	McDonald	Nash	Quam	
Garofalo	Heinrich	Mekeland	Novotny	Runbeck	
Green	Koznick	Miller	O'Driscoll	Scott	

The bill was passed and its title agreed to.

H. F. No. 4597, A bill for an act relating to horse racing; modifying certain revenue and reimbursement provisions; granting certain discretion to the commission for operation of a card club; amending Minnesota Statutes 2018, section 240.30, subdivisions 5, 9; Minnesota Statutes 2019 Supplement, sections 240.13, subdivision 5; 240.131, subdivision 7.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 97 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Acomb	Christensen	Garofalo	Jurgens	Lippert	Noor
Albright	Clafin	Gomez	Kiel	Lislegard	Nornes
Anderson	Considine	Gunther	Klevorn	Long	Olson
Backer	Daniels	Haley	Koegel	Lueck	Pelowski
Bahner	Daudt	Halverson	Kotyza-Witthuhn	Mann	Persell
Becker-Finn	Davids	Hamilton	Koznick	Mariani	Petersburg
Bennett	Davnie	Hansen	Kresha	Marquart	Pinto
Bernardy	Dehn	Hassan	Kunesh-Podein	Masin	Poppe
Bierman	Dettmer	Hausman	Layman	McDonald	Pryor
Boe	Ecklund	Her	Lee	Moller	Richardson
Brand	Edelson	Hornstein	Lesch	Moran	Sandell
Cantrell	Elkins	Howard	Liebling	Morrison	Sandstede
Carlson, A.	Fischer	Huot	Lien	Murphy	Sauke
Carlson, L.	Freiberg	Jordan	Lillie	Nelson, M.	Schultz

Stephenson	Theis	Wagenius	Wolgamott	Youakim
Sundin	Vang	Wazlawik	Xiong, J.	
Tabke	Vogel	Winkler	Xiong, T.	

Those who voted in the negative were:

Bahr	Green	Johnson	Nelson, N.	Poston	Swedzinski
Demuth	Grossell	Lucero	Neu	Quam	Torkelson
Drazkowski	Gruenhagen	Mekeland	Novotny	Robbins	Urdahl
Erickson	Heinrich	Miller	O'Driscoll	Runbeck	West
Fabian	Heintzeman	Munson	O'Neill	Schomacker	
Franson	Hertaus	Nash	Pierson	Scott	

The bill was passed and its title agreed to.

S. F. No. 3435, A bill for an act relating to real estate; modifying appraisal management company licensure; amending Minnesota Statutes 2018, sections 82C.03, subdivision 5; 82C.06; 82C.08, subdivisions 1, 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Acomb	Dehn	Hassan	Liebling	Nornes	Schultz
Albright	Demuth	Hausman	Lien	Novotny	Scott
Anderson	Dettmer	Heinrich	Lillie	O'Driscoll	Stephenson
Backer	Ecklund	Heintzeman	Lippert	Olson	Sundin
Bahner	Edelson	Her	Lislegard	O'Neill	Swedzinski
Becker-Finn	Elkins	Hornstein	Long	Pelowski	Tabke
Bennett	Erickson	Howard	Lueck	Persell	Theis
Bernardy	Fabian	Huot	Mahoney	Petersburg	Torkelson
Bierman	Fischer	Johnson	Mann	Pierson	Urdahl
Boe	Franson	Jordan	Mariani	Pinto	Vang
Brand	Freiberg	Jurgens	Marquart	Poppe	Vogel
Cantrell	Garofalo	Kiel	Masin	Poston	Wagenius
Carlson, A.	Gomez	Klevorn	Miller	Pryor	Wazlawik
Carlson, L.	Green	Koegel	Moller	Quam	West
Christensen	Grossell	Kotzya-Witthuhn	Moran	Richardson	Winkler
Clafin	Gruenhagen	Koznick	Morrison	Robbins	Wolgamott
Considine	Gunther	Kresha	Murphy	Runbeck	Xiong, J.
Daniels	Haley	Kunesh-Podein	Nelson, M.	Sandell	Xiong, T.
Daudt	Halverson	Layman	Nelson, N.	Sandstede	Youakim
Davids	Hamilton	Lee	Neu	Sauke	
Davnie	Hansen	Lesch	Noor	Schomacker	

Those who voted in the negative were:

Bahr	Hertaus	McDonald	Munson
Drazkowski	Lucero	Mekeland	Nash

The bill was passed and its title agreed to.

S. F. No. 3589, A bill for an act relating to financial institutions; modifying authorized investments for banks and trust companies; amending Minnesota Statutes 2018, section 48.61, subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Dehn	Hassan	Liebling	Nelson, M.	Sandstede
Albright	Demuth	Hausman	Lien	Nelson, N.	Sauke
Anderson	Dettmer	Heinrich	Lillie	Neu	Schomacker
Backer	Drazkowski	Heintzeman	Lippert	Noor	Schultz
Bahner	Ecklund	Her	Lislegard	Nornes	Scott
Bahr	Edelson	Hertaus	Long	Novotny	Stephenson
Becker-Finn	Elkins	Hornstein	Lucero	O'Driscoll	Sundin
Bennett	Erickson	Howard	Lueck	Olson	Swedzinski
Bernardy	Fabian	Huot	Mahoney	O'Neill	Tabke
Bierman	Fischer	Johnson	Mann	Pelowski	Theis
Boe	Franson	Jordan	Mariani	Persell	Torkelson
Brand	Freiberg	Jurgens	Marquart	Petersburg	Urdahl
Cantrell	Garofalo	Kiel	Masin	Pierson	Vang
Carlson, A.	Gomez	Klevorn	McDonald	Pinto	Vogel
Carlson, L.	Green	Koegel	Mekeland	Poppe	Wagenius
Christensen	Grossell	Kotyza-Witthuhn	Miller	Poston	Wazlawik
Clafin	Gruenhagen	Koznick	Moller	Pryor	West
Considine	Gunther	Kresha	Moran	Quam	Winkler
Daniels	Haley	Kunesh-Podein	Morrison	Richardson	Wolgammott
Daudt	Halverson	Layman	Munson	Robbins	Xiong, J.
Davids	Hamilton	Lee	Murphy	Runbeck	Xiong, T.
Davnie	Hansen	Lesch	Nash	Sandell	Youakim

The bill was passed and its title agreed to.

H. F. No. 4500, A bill for an act relating to state government; providing COVID-19 grant extensions; requiring a report.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Acomb	Bennett	Carlson, A.	Daudt	Ecklund	Freiberg
Albright	Bernardy	Carlson, L.	Davids	Edelson	Garofalo
Anderson	Bierman	Christensen	Davnie	Elkins	Gomez
Backer	Boe	Clafin	Dehn	Fabian	Green
Bahner	Brand	Considine	Demuth	Fischer	Grossell
Becker-Finn	Cantrell	Daniels	Dettmer	Franson	Gunther

Haley	Jurgens	Lislegard	Nelson, N.	Pryor	Theis
Halverson	Kiel	Long	Neu	Quam	Torkelson
Hamilton	Klevorn	Lueck	Noor	Richardson	Urdahl
Hansen	Koegel	Mahoney	Nornes	Robbins	Vang
Hassan	Kotyza-Witthuhn	Mann	Novotny	Runbeck	Vogel
Hausman	Koznick	Mariani	O'Driscoll	Sandell	Wagenius
Heinrich	Kresha	Marquart	Olson	Sandstede	Wazlawik
Heintzeman	Kunesh-Podein	Masin	O'Neill	Sauke	West
Her	Layman	McDonald	Pelowski	Schomacker	Winkler
Hertaus	Lee	Moller	Persell	Schultz	Wolgamott
Hornstein	Lesch	Moran	Petersburg	Scott	Xiong, J.
Howard	Liebling	Morrison	Pierson	Stephenson	Xiong, T.
Huot	Lien	Murphy	Pinto	Sundin	Youakim
Johnson	Lillie	Nash	Poppe	Swedzinski	
Jordan	Lippert	Nelson, M.	Poston	Tabke	

Those who voted in the negative were:

Bahr	Erickson	Lucero	Miller
Draskowski	Gruenhagen	Mekeland	Munson

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

Marquart was excused between the hours of 1:05 p.m. and 2:30 p.m.

H. F. No. 3103, A bill for an act relating to human rights; adding a definition of race to the Minnesota Human Rights Act; amending Minnesota Statutes 2018, section 363A.03, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 92 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Acomb	Dehn	Howard	Mahoney	Persell	Theis
Albright	Demuth	Huot	Mann	Pierson	Urdahl
Bahner	Dettmer	Jordan	Mariani	Pinto	Vang
Becker-Finn	Ecklund	Jurgens	Masin	Poppe	Wagenius
Bennett	Edelson	Klevorn	Moller	Poston	Wazlawik
Bernardy	Elkins	Koegel	Moran	Pryor	West
Bierman	Fischer	Kotyza-Witthuhn	Morrison	Richardson	Winkler
Boe	Freiberg	Kunesh-Podein	Murphy	Robbins	Wolgamott
Brand	Gomez	Lee	Nash	Sandell	Xiong, J.
Cantrell	Halverson	Lesch	Nelson, M.	Sandstede	Xiong, T.
Carlson, A.	Hamilton	Liebling	Nelson, N.	Sauke	Youakim
Carlson, L.	Hansen	Lien	Neu	Schultz	Spk. Hortman
Christensen	Hassan	Lillie	Noor	Scott	
Clafin	Hausman	Lippert	O'Driscoll	Stephenson	
Considine	Her	Lislegard	Olson	Sundin	
Davnie	Hornstein	Long	Pelowski	Tabke	

Those who voted in the negative were:

Anderson	Erickson	Gunther	Koznick	Miller	Schomacker
Backer	Fabian	Haley	Kresha	Munson	Swedzinski
Bahr	Franson	Heinrich	Layman	Nornes	Torkelson
Daniels	Garofalo	Heintzeman	Lucero	Novotny	Vogel
Daudt	Green	Hertaus	Lueck	Petersburg	
Davids	Grossell	Johnson	McDonald	Quam	
Drazkowski	Gruenhagen	Kiel	Mekeland	Runbeck	

The bill was passed and its title agreed to.

H. F. No. 1842 was reported to the House.

Swedzinski moved to amend H. F. No. 1842, the second engrossment, as follows:

Page 7, after line 3, insert:

"Sec. 6. **APPROPRIATION; UTILITY RATEPAYER RELIEF BILL CREDIT.**

(a) Notwithstanding Minnesota Statutes, section 116C.779, subdivision 1, paragraph (j), beginning in fiscal year 2020 and each fiscal year thereafter, any funds remaining in the renewable development account established in Minnesota Statutes, section 116C.779, subdivision 1, that have not, as of June 30, been appropriated, encumbered, or allocated under any act enacted during the regular session of the legislature, or under Minnesota Statutes, section 116C.779, subdivision 1, are appropriated no later than July 1 of the following fiscal year to the commissioner of commerce for transfer to the public utility subject to Minnesota Statutes, section 116C.779, to provide bill credits to the utility's retail electric customers as provided under paragraph (b).

(b) In order to provide immediate relief to residential, commercial, and industrial electric customers, no later than 30 days after the date the transfer occurs under paragraph (a), the public utility subject to Minnesota Statutes, section 116C.779, must provide a bill credit to each of its existing retail electric customers consisting of the customer's share of the transfer made under paragraph (a), based on the amount the customer contributed to the amounts collected by the public utility under Minnesota Statutes, section 116C.779, subdivision 1, over the previous 12 months.

EFFECTIVE DATE. This section is effective the day following final enactment."

A roll call was requested and properly seconded.

The question was taken on the Swedzinski amendment and the roll was called. There were 58 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Albright	Bennett	Davids	Erickson	Green	Haley
Anderson	Boe	Demuth	Fabian	Grossell	Hamilton
Backer	Daniels	Dettmer	Franson	Gruenhagen	Heinrich
Bahr	Daudt	Drazkowski	Garofalo	Gunther	Heintzeman

Hertaus	Layman	Munson	O'Driscoll	Robbins	Torkelson
Johnson	Lucero	Nash	O'Neill	Runbeck	Urdahl
Jurgens	Lueck	Nelson, N.	Petersburg	Schomacker	Vogel
Kiel	McDonald	Neu	Pierson	Scott	West
Koznick	Mekeland	Nornes	Poston	Swedzinski	
Kresha	Miller	Novotny	Quam	Theis	

Those who voted in the negative were:

Acomb	Dehn	Howard	Lislegard	Pelowski	Vang
Bahner	Ecklund	Huot	Long	Persell	Wagenius
Becker-Finn	Edelson	Jordan	Mahoney	Pinto	Wazlawik
Bernardy	Elkins	Klevorn	Mann	Poppe	Winkler
Bierman	Fischer	Koegel	Mariani	Pryor	Wolgamott
Brand	Freiberg	Kotzya-Witthuhn	Masin	Richardson	Xiong, J.
Cantrell	Gomez	Kunesh-Podein	Moller	Sandell	Xiong, T.
Carlson, A.	Halverson	Lee	Moran	Sandstede	Youakim
Carlson, L.	Hansen	Lesch	Morrison	Sauke	Spk. Hortman
Christensen	Hassan	Liebling	Murphy	Schultz	
Clafin	Hausman	Lien	Nelson, M.	Stephenson	
Considine	Her	Lillie	Noor	Sundin	
Davnie	Hornstein	Lippert	Olson	Tabke	

The motion did not prevail and the amendment was not adopted.

Swedzinski moved to amend H. F. No. 1842, the second engrossment, as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 2018, section 116C.779, is amended by adding a subdivision to read:

Subd. 1a. Payment termination. (a) The commissioner of management and budget shall track the cumulative transfers made to the account and its predecessor, the renewable development account, each year since 1999 for each dry cask containing spent fuel that is stored at an independent spent-fuel storage facility at Prairie Island or Monticello. During the time when state law required the public utility to transfer a specific amount of funds to the account for all the casks stored, the per-cask allocation shall be calculated by dividing the total amount transferred by the number of casks stored that year.

(b) No additional transfers to the account shall be made for a cask whose cumulative transfers, as determined by the commissioner of management and budget under paragraph (a), have reached \$10,000,000 or more. The commissioner of management and budget shall notify the public utility that no additional transfers to the account for that cask shall be made.

(c) This subdivision does not affect any provisions of subdivision 1, paragraph (c) or (d), with respect to transfers to the account made after a plant has ceased operation.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to transfers to the account scheduled to be made in 2025 and thereafter."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

H. F. No. 1842, A bill for an act relating to energy; modifying the solar energy incentive program; establishing various renewable energy and other energy-related programs; governing a certain utility filing; requiring reports; appropriating money; amending Minnesota Statutes 2019 Supplement, section 116C.7792; proposing coding for new law in Minnesota Statutes, chapter 116J.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 84 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Acomb	Dehn	Hornstein	Lillie	Nelson, M.	Schultz
Bahner	Demuth	Howard	Lippert	Nelson, N.	Stephenson
Becker-Finn	Ecklund	Huot	Lislegard	Noor	Sundin
Bernardy	Edelson	Jordan	Long	Olson	Swedzinski
Bierman	Elkins	Jurgens	Mahoney	Pelowski	Tabke
Boe	Fischer	Klevorn	Mann	Persell	Vang
Brand	Freiberg	Koegel	Mariani	Pinto	Wagenius
Cantrell	Gomez	Kotzya-Witthuhn	Marquart	Poppe	Wazlawik
Carlson, A.	Haley	Kunesh-Podein	Masin	Poston	Winkler
Carlson, L.	Halverson	Layman	Miller	Pryor	Wolgamott
Christensen	Hansen	Lee	Moller	Richardson	Xiong, J.
Clafin	Hassan	Lesch	Moran	Sandell	Xiong, T.
Considine	Hausman	Liebling	Morrison	Sandstede	Youakim
Davnie	Her	Lien	Murphy	Sauke	Spk. Hortman

Those who voted in the negative were:

Albright	Drazkowski	Hamilton	Lueck	O'Neill	Torkelson
Anderson	Erickson	Heinrich	McDonald	Petersburg	Urdahl
Backer	Fabian	Heintzeman	Mekeland	Pierson	Vogel
Bahr	Franson	Hertaus	Munson	Quam	West
Bennett	Garofalo	Johnson	Nash	Robbins	
Daniels	Green	Kiel	Neu	Runbeck	
Daudt	Grossell	Koznick	Nornes	Schomacker	
Davids	Gruenhagen	Kresha	Novotny	Scott	
Dettmer	Gunther	Lucero	O'Driscoll	Theis	

The bill was passed and its title agreed to.

There being no objection, the order of business reverted to Reports of Standing Committees and Divisions.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Carlson, L., from the Committee on Ways and Means to which was referred:

S. F. No. 4494, A bill for an act relating to telecommunications; establishing a grant program for distance learning equipment; establishing a grant program for telemedicine equipment purchased to deal with COVID-19; requiring reports; appropriating money.

Reported the same back with the following amendments:

Page 1, line 6, delete "GRANT PROGRAM" and insert "FUNDING"

Page 1, line 7, delete "Definition" and insert "Definitions" and delete the comma and insert ": (1)"

Page 1, line 8, before the period, insert ", and (2) school" means a school district, charter school, or cooperative unit"

Page 1, line 9, after "Establishment" insert "; purpose" and delete "grant" and insert "funding"

Page 1, after line 14, insert:

"Subd. 3. Aid amount. Each school is eligible for onetime distance learning aid equal to the lesser of:

(1) the school's actual expenditures under subdivision 4; or

(2) an allowance equal to the amount appropriated in section 3, paragraph (a), divided by the statewide enrollment for fiscal year 2019 times the students enrolled in each school during fiscal year 2019."

Renumber the subdivisions in sequence

Page 1, line 15, delete "A grant awarded" and insert "Aid received" and delete "may" and insert "must"

Page 1, line 19, delete "reimburse a school district or charter school" and insert "pay"

Page 2, line 1, delete "reimburse a school district or charter school" and insert "pay"

Page 2, delete subdivisions 4 to 6 and insert:

"Subd. 5. Schools to report expenditures. Every school that receives aid under this section must submit a report to the commissioner of education by February 15, 2021, documenting its expenditures and describing the onetime and permanent improvements made to its distance learning access delivery system."

Page 4, after line 19, insert:

"**EFFECTIVE DATE.** This section is effective the day following final enactment."

Page 4, line 21, delete "\$8,000,000" and insert "\$15,000,000"

Page 5, line 20, delete everything after the second period

Page 5, delete lines 21 to 26 and insert:

"(d) The commissioner of management and budget must determine whether any of the expenditures an appropriation is made for under this section is an eligible use of federal funding received under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136, title V. If the commissioner of management and budget determines an expenditure is eligible for funding under title V of the CARES Act, the amount for the eligible expenditure is appropriated from the account where CARES Act money has been deposited and the corresponding amount appropriated under this section cancels to the general fund."

Page 5, after line 27, insert:

"Sec. 4. **APPROPRIATIONS GIVEN EFFECT ONCE.**

If an appropriation in this act is enacted more than once in the 2020 regular legislative session, the appropriations must be given effect only once.

EFFECTIVE DATE. This section is effective the day following final enactment."

Amend the title as follows:

Page 1, line 2, delete "grant" and insert "funding"

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

SECOND READING OF SENATE BILLS

S. F. No. 4494 was read for the second time.

MOTIONS AND RESOLUTIONS

Wagenius moved that the names of Schultz and Claflin be added as authors on H. F. No. 1842. The motion prevailed.

Murphy moved that the name of Hansen be added as an author on H. F. No. 2529. The motion prevailed.

Liebling moved that the name of Schultz be added as an author on H. F. No. 2604. The motion prevailed.

Lee moved that the name of Cantrell be added as an author on H. F. No. 3060. The motion prevailed.

Moran moved that the name of Bernardy be added as an author on H. F. No. 3103. The motion prevailed.

Wazlawik moved that the name of Cantrell be added as an author on H. F. No. 3376. The motion prevailed.

Mariani moved that the name of Johnson be added as an author on H. F. No. 3391. The motion prevailed.

Hassan moved that the name of Wagenius be added as an author on H. F. No. 4594. The motion prevailed.

Dauids moved that the name of Robbins be added as an author on H. F. No. 4596. The motion prevailed.

Green moved that the name of Dettmer be added as an author on H. F. No. 4629. The motion prevailed.

Wagenius moved that the name of Acomb be added as an author on H. F. No. 4676. The motion prevailed.

Garofalo moved that the name of Boe be added as an author on H. F. No. 4682. The motion prevailed.

Garofalo moved that the name of Boe be added as an author on H. F. No. 4683. The motion prevailed.

MOTION TO FIX TIME TO CONVENE

Becker-Finn moved that when the House adjourns today it adjourn until 10:00 a.m., Saturday, May 16, 2020. The motion prevailed.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 512.

CAL R. LUDEMAN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 512, A bill for an act relating to state government; making temporary adjustments to gambling control laws in response to COVID-19; amending Minnesota Statutes 2018, section 349.19, by adding a subdivision.

The bill was read for the first time.

Halverson moved that S. F. No. 512 and H. F. No. 356, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

ADJOURNMENT

Becker-Finn moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Saturday, May 16, 2020.

PATRICK D. MURPHY, Chief Clerk, House of Representatives